



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

#10
DECEMBER
10-10-03

Applicant : Curtis Lee Carrender
Application No. : 09/833,391
Filed : April 11, 2001
For : FREQUENCY-HOPPING RFID SYSTEM

Examiner : Phung T. Nguyen
Art Unit : 2632
Docket No. : 12813-B (130105.407)
Date : August 14, 2003

Mail Stop Non-Fee Amendment
Commissioner for Patents
Washington, DC 20231

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RESPONSE

Technology Center 2600

Commissioner for Patents:

Claims 1-24 remain in the application.

In the Office Action mailed May 20, 2003, the Examiner maintained the rejection of claims 1, 2, 5-8, 11-14, 17-20, and 22-24 under 35 U.S.C. § 103(a) as unpatentable over Mays et al. (U.S. Patent No. 5,828,693) in view of Wu et al. (U.S. Patent No. 5,784,686). Claims 3, 4, 9, 10, 15, 16, and 21 were rejected as obvious over Mays and Wu et al. and further in view of Shober (U.S. Patent No. 5,952,922). The remarks accompanying these rejections state that, while Mays et al. disclose a homodyne radio, Mays et al. fail to disclose a heterodyne receiver for which Wu et al. is cited. The remarks further state that "Wu interchanges the terms heterodyne and homodyne by mistake because it is clearly seen that the two out of phase mixers I and Q as disclosed in the specification and the drawing of Wu is a heterodyne system."

Applicant respectfully disagrees with the basis for the rejections and requests reconsideration and further examination of the claims.

Applicant previously argued that Wu et al. does not teach or suggest a heterodyne circuit. In response thereto, the Examiner now asserts that Wu et al. in fact teaches such a circuit and is "mistaken" in the use of the term "homodyne." Applicant has carefully examined the Wu